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REMARKS**I. INTRODUCTION**

Claims 16-26 and 28-32 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 16-18, 20-22, 24, 25 and 32 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,540,137 to Forsythe et al. ("Forsythe") in view of U.S. Patent Application Publication No. 2003/0018550 to Rotman et al. ("Rotman") and further in view of U.S. Patent No. 5,493,315 to Atchley. (See 10/06/06 Office Action, p. 2, ¶ 3).

Forsythe describes a checkout system 10 which is operable in an assisted checkout transaction aided by personnel at a retail store or a self-service checkout transaction performed solely by a customer. (See Forsythe, col. 40, lines 45-51). The system 10 includes a customer interface terminal 78 which consists of a display monitor 78a, a scanner 24 and an electronic payment terminal 44. (Id. at col. 41, lines 15-20; col. 42, line 66 - col. 43, line 7). During the self-service checkout transaction, the customer scans items and views item prices and a total on the display monitor 78a. (Id. at col. 17, lines 14-27). An advertisement corresponding to one of the items or a customer profile loaded in an in-store network is shown on the display monitor 78a. (Id. at col. 17, lines 28-50). Payment is made via a currency acceptor or charging a credit/debit card at the electronic payment terminal 44. (Id. at col. 11, lines 30-63).

Rotman describes a system for providing near real-time market information predictions based on money flow maps derived from payment transaction information. (See Rotman, ¶ [0024]). During a payment transaction, a merchant computes a transaction total based on goods and services selected by a customer. (Id. at ¶ [0058]). The transaction total is forwarded to a

credit card clearinghouse, which in turn, forwards the total to a credit card issuer to seek approval of the total. (*Id.* at ¶ [0058]). If the transaction is approved, the transaction total is put into a transactional database. (*Id.* at ¶ [0058]). Information in the transactional database is scaled and normalized so that it may be applied “to known or newly created models for predicting financial metrics, such as stock price, interest rates or commodity supplies. (*Id.* at ¶ [0057]).

Atchley describes an apparatus for displaying video information, such video messages relating to the sale of a carwash. (*See* Atchley, col. 4, lines 45-57). Using a keypad, a user may select from various options associated with his carwash, including a hot wax, tire scrub, or drying. Messages on a screen are used to prompt the user to insert cash when necessary. (*Id.*).

Claim 16 recites a method which includes the steps of “receiving, via the communications link of the customer-response unit, content for presentation at the customer-response unit during the transaction, *wherein the content is unrelated to data essential for completion of the transaction*” and “displaying the content on a display of the customer-response unit, *wherein the display includes an indication that a customer can immediately respond to the content by interacting with the customer-response unit.*”

The Examiner notes that neither Forsythe nor Rotman disclose or suggest “wherein the display includes an indication that a customer can immediately respond to the content by interacting with the customer-response unit,” as recited in claim 16. (*See* 10/06/06 Office Action, p. 6). The Examiner attempts to cure this deficiency with Atchley. However, Atchley only discloses the interactive display of information that is required to complete a transaction. The carwash is not commenced until the user has selected his options. Although these options are not necessary for the completion of every carwash, the user, in selecting these options, has determined that they are required to complete his own carwash. While the display of Atchley may be interactive, the content display is clearly “essential for completion of the transaction.” Atchley describes interactive essential content—not interactive nonessential content. Furthermore, it is respectfully submitted that there is no motivation to combine the teachings of

Atchley with Forsythe. Even if Forsythe were combined with Atchley to make the advertisements displayed by Forsythe's system interactive, it is unclear what technical problem would be solved. Forsythe does not suggest any use for the advertisements other than displaying them to the user. Making the advertisements interactive would not provide any additional uses or benefits. Based on these reasons, it is respectfully submitted that neither Forsythe, nor Rotman nor Atchley, either alone or in combination, disclose or suggest "receiving, via the communications link of the customer-response unit, content for presentation at the customer-response unit during the transaction, wherein the content is unrelated to data essential for completion of the transaction" and "displaying the content on a display of the customer-response unit, wherein the display includes an indication that a customer can immediately respond to the content by interacting with the customer-response unit," as recited in claim 16. Because claims 17-18, 20-22 and 24-25 depend from, and, therefore include the limitations of claim 16, it is respectfully submitted that these claims are also allowable.

Claim 32 recites limitations substantially similar to those of claim 16, including "receiving, via the communications link of the customer-response unit, content for presentation at the customer-response unit during the transaction, wherein the content is unrelated to data essential for completion of the transaction" and "displaying the content on a display of the customer-response unit, wherein the display includes an indication that a customer can immediately respond to the content by interacting with the customer-response unit." Thus, it is respectfully submitted that claim 32 is allowable for at least the same reasons as discussed above with reference to claim 16.

Claims 19, 23, 26 and 28-31 stand rejected under 35 U.S.C. 103(a) as unpatentable over Forsythe in view of Atchley and Rotman and further in view of U.S. Patent Application Publication No. 2003/0126020 to Smith et al. ("Smith"). (See 10/06/06 Office Action, p. 8, ¶ 4).

Claim 26 recites a system for conducting a transaction which includes a customer-response unit comprising "a display for presenting the content, wherein the display includes an indication that a customer can immediately respond to the content by interacting with the

customer-response unit” and “a customer interface for receiving and recording customer input, customer responses and customer non-responses to the content, wherein the responses and the non-responses are transmitted to an advertisement server in order to collect information about the customer.” As discussed above with reference to claim 16, neither Forsythe, nor Rotman nor Atchley, either alone or in combination, disclose or suggest “receiving, via the communications link of the customer-response unit, content for presentation at the customer-response unit during the transaction, *wherein the content is unrelated to data essential for completion of the transaction*” and “displaying the content on a display of the customer-response unit, *wherein the display includes an indication that a customer can immediately respond to the content by interacting with the customer-response unit.*”

Smith is directed to a method for the generation and transmission of electronic receipts. (See Smith, Abstract). As such, Smith does not cure the deficiencies of Forsythe, Rotman and Atchley. Therefore, it is respectfully submitted that neither Forsythe, nor Rotman, nor Atchley nor Smith, either alone or in combination, disclose or suggest “a customer interface for receiving and recording customer input, customer responses and customer non-responses to the content, wherein the responses and the non-responses are transmitted to an advertisement server in order to collect information about the customer,” as recited in claim 26.

Because claims 28-31, depend from, and, therefore include the limitations of claim 26, it is respectfully submitted that these claims are allowable for at least the reasons stated above with reference to claim 26. Because claims 19 and 23 depend from, and, therefore include the limitations of claim 16, it is respectfully submitted that these claims are allowable for the same reasons as stated above with reference to claim 16.

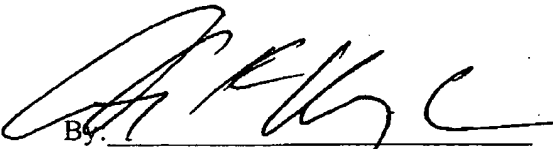
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CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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